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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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UNITED STATES OF AMERICA :

v. :

CERTAIN PERSON :

CRIMINAL NO. 16 -

Ca 511 FILED
DEC 15 2016
LUCY V. CHIN, Intern Clerk
By Rs Dep. Clerk

ORDER


AND NOW, this 15 day of December, 2016, upon consideration of the Government's Motion to Impound Indictment, and accompanying docket papers, and after balancing the public right of access to court documents with the government's interest in protecting ongoing criminal investigation and protecting against the risk of the defendant fleeing prior to arrest in this matter, it is hereby

ORDERED

that the within indictment and accompanying docket papers are IMPOUNDED and to be retained in the custody of the Clerk of Court until notified by the United States Attorney that the defendant has been arrested and the indictment can be unimpounded, except that the Clerk is authorized to disclose to the attorney for the government the docket number and district court judge assigned to the case, and the attorney for the government is authorized to disclose the indictment to the district court judge assigned to the case. The Clerk of Court is directed to make no public docket entry of the sealed documents and motion and order to seal, and to provide copies of all sealed documents only to Michelle Rotella, Assistant United States Attorney.

IT IS FURTHER ORDERED THAT, the Clerk is directed upon notice from the United States Attorney's Office to remove the docket papers hereby impounded and restore the same to the public docket.

BY THE COURT:


~~HONORABLE RICHARD A. ALBRETT~~
United States Magistrate Judge
CARACAPPA

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UNITED STATES OF AMERICA :

v :

CERTAIN PERSON :

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By *RS* Dep. Clerk

MOTION TO IMPOUND INDICTMENT

The United States of America, by and through its attorneys, Zane David Memeger, United States Attorney for the Eastern District of Pennsylvania, and Michelle Rotella, Assistant United States Attorney for the District, moves to impound the within documents and in support of its Motion states as follows:

1. The within indictment, and accompanying docket papers, are documents which, if made public would jeopardize the government's interest in protecting ongoing criminal investigation and protecting against the risk of the defendant fleeing prior to arrest in this matter.
2. Although the public has a common law right of access to judicial proceedings and papers, matters relating to protecting an ongoing criminal investigation and protecting against the defendant fleeing prior to arrest, are traditionally conducted ex parte and in camera, with deference to the government's determination that the information should be sealed.
3. Accordingly, balancing the public's right of access to judicial documents with the government's interest in not jeopardizing ongoing criminal investigation and in protecting against the risk of the defendant fleeing prior to arrest in this matter, the government respectfully requests that the government's Motion be GRANTED. The government further requests that the Clerk of Court be directed to make no public docket entry of the sealed

documents and motion and order to seal, and to provide copies of all sealed documents only to Michelle Rotella, Assistant United States Attorney. It is further requested that the indictment shall be unimpounded upon notice of the United States Attorney that the defendant has been arrested.

Respectfully submitted,

ZANE DAVID MEMEGER
United States Attorney



Michelle Rotella
Assistant United States Attorney